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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/528,127	11/03/2005	Bruce Armour	15584.10	8947
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Workman Nydegger 1000 Eagle Gate Tower 60 East South Temple Salt Lake City, UT 84111			EXAMINER TOPGYAL, GELEK W	
			ART UNIT 2621	PAPER NUMBER
			MAIL DATE 05/29/2009	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/528,127

Applicant(s)

ARMOUR ET AL.

Examiner

GELEK TOPGYAL

Art Unit

2621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 March 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 41-91 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 41-91 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 March 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/5508)
- Paper No(s)/Mail Date _____

- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. **Claims 41-42** are rejected under 35 U.S.C. 112, first paragraph, because the storage device to perform the operations does not appear in combination with other element of the device. These claims are "single means" claims.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. **Claims 41-58 and 60-91** are rejected under 35 U.S.C. 102(e) as being anticipated by Sohler (US 7,424,208).
5. **Regarding claims 4-44, 62, 66 and 75-78**, Sohler teaches a storage system for connecting a storage device to a peripheral device without requiring a personal computer, the system comprising: a peripheral interface (interface units of I/O ports 203 including a receptacle for a memory card, serial, USB or SCSI card); a storage medium configured to store data (CD-RW or DVD-RW) as discussed in col. 2, lines 38-41); and

a storage device (Figs. 1 and 2, Portable download unit 100) in communication with the peripheral interface, wherein the storage device is adapted to: (i) act as a host on the peripheral interface (Fig. 1 and 2, portable download unit 100 acts as a host since data from a memory card 104 is received); (ii) automatically detect a connected peripheral device (Fig. 1 and 2,, the portable download unit 100 is capable of detecting a connection via an inserted memory card 104 or via serial, USB or SCSI interfaces); and (iii) transfer data from a connected peripheral device to the storage medium (col. 3, lines 1-29 teaches of transferring data from the memory card to the CR-RW in the writing unit).

Regarding claims 45-46, the first peripheral is met by the plurality of interfaces as discussed in claim 41 above and the second interface is met by the interface for the CD writer/reader drive. Upon transfer of images from a memory card 104 to a CD-RW, the data is transferred between the two peripheral devices and their respective peripheral interfaces.

Regarding claims 47 and 50-51, Sohler further teaches in col. 3, lines 1-5 and lines 31-33 that the memory card is prepared to be reused by deleting all the images on the memory card, the controls of which comes from one of the control buttons 120.

Regarding claims 48-49, Sohler teaches in col. 3, lines 14-29 of a control button 124 that causes all images from the memory card to be written to the CD-RW disk. Once the data has been transferred, control button 126 can once again be used to verify the contents have been written on the CD-RW disk.

Regarding claim 52, as discussed in claims 48-49 above, the control button 126 can be used to transfer and verify.

Regarding claims 53-55, Sohler further teaches in col. 3, lines 34-40 and in col. 2, lines 52-60 is numerous formats and their respective interfaces (USB, Serial, SCSI, Bluetooth, Wireless, etc) can be used to transfer data from the peripheral device to a personal computer.

Regarding claims 56-58, Sohler teaches in col. 2, lines 4-12 of the ability for images to be recorded as TIFF format. The TIFF format is an uncompressed image format that meets the claimed image that is transcoded into a standard format. As discussed in claim 41 above, the user can transfer ALL the images on the memory card 104 to the CD-RW disk. Each of the transferred images is recorded as a separate image on the CD-RW disk (in a CD-RW format).

Claims 60-61 are rejected for the same reasons as discussed in claims 41 and 56-58 above.

Claims 63-64 are rejected for the same reasons as discussed in claims 48-49 above.

Claim 65 is rejected for the same reasons as discussed in claim 61 above.

Regarding claims 67-69, Sohler teaches in col. 3, lines 14-29 of a control button 124 that causes all images from the memory card to be written to the CD-RW disk. Once the data has been transferred, control button 126 can once again be used to verify the contents have been written on the CD-RW disk.

Regarding claim 70, as discussed in claims 67-69 above, the control button 126 can be used to transfer and verify.

Regarding claims 71-72, Sohler further teaches in col. 3, lines 1-5 and lines 31-33 that the memory card is prepared to be reused by deleting all the images on the memory card, the controls of which comes from one of the control buttons 120.

Claim 73 is rejected for the same reasons as discussed in claims 70-72 above.

Regarding claim 74, Sohler further teaches in col. 3, lines 34-40 and in col. 2, lines 52-60 is numerous formats and their respective interfaces (USB, Serial, SCSI, Bluetooth, Wireless, etc) can be used to transfer data from the peripheral device to a personal computer.

Regarding claims 79-81, Sohler teaches in col. 3, lines 14-29 of a control button 124 that causes all images from the memory card to be written to the CD-RW disk. Once the data has been transferred, control button 126 can once again be used to verify the contents have been written on the CD-RW disk.

Regarding claims 82-85, Sohler further teaches in col. 3, lines 1-5 and lines 31-33 that the memory card is prepared to be reused by deleting all the images on the memory card, the controls of which comes from one of the control buttons 120.

Regarding claim 86, as discussed in claims 79-81 above, the control button 126 can be used to transfer and verify. Furthermore, as discussed in claims 82-85, control buttons 120 can be used to delete data.

Claim 87-91 are rejected for the same reasons as discussed above in claims 56-58 and 60-61, respectively.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. **Claim 59** is rejected under 35 U.S.C. 103(a) as being unpatentable over Sohler (US 7,424,208) in view of Chang et al. (US 6,963,972).

Regarding claim 59, Sohler teaches the claimed as discussed in claim 41 above, however fails to teach wherein the storage device includes a transcoder module capable of converting from a first format to a second format.

In an analogous art, Chang teaches in col. 1, lines 43-62 wherein a transcoder proxy is capable of converting from a first format to a second format.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the ability to utilize a transcoder as taught by Chang into the system of Sohler to allow for compatibility and or storage issues between a first a second device.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The cited references teach simple devices useable to transfer images from a first device to another storage device.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to GELEK TOPGYAL whose telephone number is (571)272-8891. The examiner can normally be reached on 8:30am -5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thai Tran can be reached on 571-272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Gelek Topgyal/
Examiner, Art Unit 2621

/Thai Tran/
Supervisory Patent Examiner, Art Unit 2621